| UNITED STATES DISTRICT COURT |
|-------------------------------|
| SOUTHERN DISTRICT OF NEW YORK |

| UNITED STATE OF AMERICA | |) NO.: 17-cr-00630 | (ER |
|-------------------------|------------|-----------------------|-----|
| - V | |) AFFIRMATION | |
| MARK S. SCOTT, | |))) | |
| | DEFENDANT. |) | |

- I, James Nobles, Esq., respectfully submit this Affirmation pursuant to Local Civil Rule 1.4, in support of my motion to withdraw as co-counsel for Defendant Mark S. Scott in the above-captioned matter, as I will be substituted by Arlo Devlin-Brown of Covington & Burling LLP. The matter will proceed with Mr. Garvin and Mr. Devlin-Brown remaining on the case. The reasons for the withdrawal are as follows:
- 1. Withdrawal can be accomplished without material adverse effect on the interests of the client. David M. Garvin of David M. Garvin, P.A. ("Co-Counsel"), has appeared on behalf of Defendant Mark S. Scott since October 29, 2018 (Docket No. 27), and will continue to represent Defendant in this matter. Mr. Scott has also retained Arlo Devlin-Brown. As such, Mr. Scott will not be left in an adverse situation as a result of my withdrawal as co-counsel.
- 2. The parties to this matter are currently scheduled to begin trial on October 7, 2019.
- 3. Mr. Garvin and Mr. Devlin-Brown are positioned to effectively proceed without my continued participation at trial and any other court appearances.
- 4. Mr. Scott not only knowingly and freely assents to substitution of the employment, he is requesting it.
- 5. Because of the foregoing, I respectfully request that this Court relieve me of my representation of Defendant Mark S. Scott.

DATED: August 29, 2019

Rochester, New York

Respectfully submitted,

/s/ James Nobles
James Nobles
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